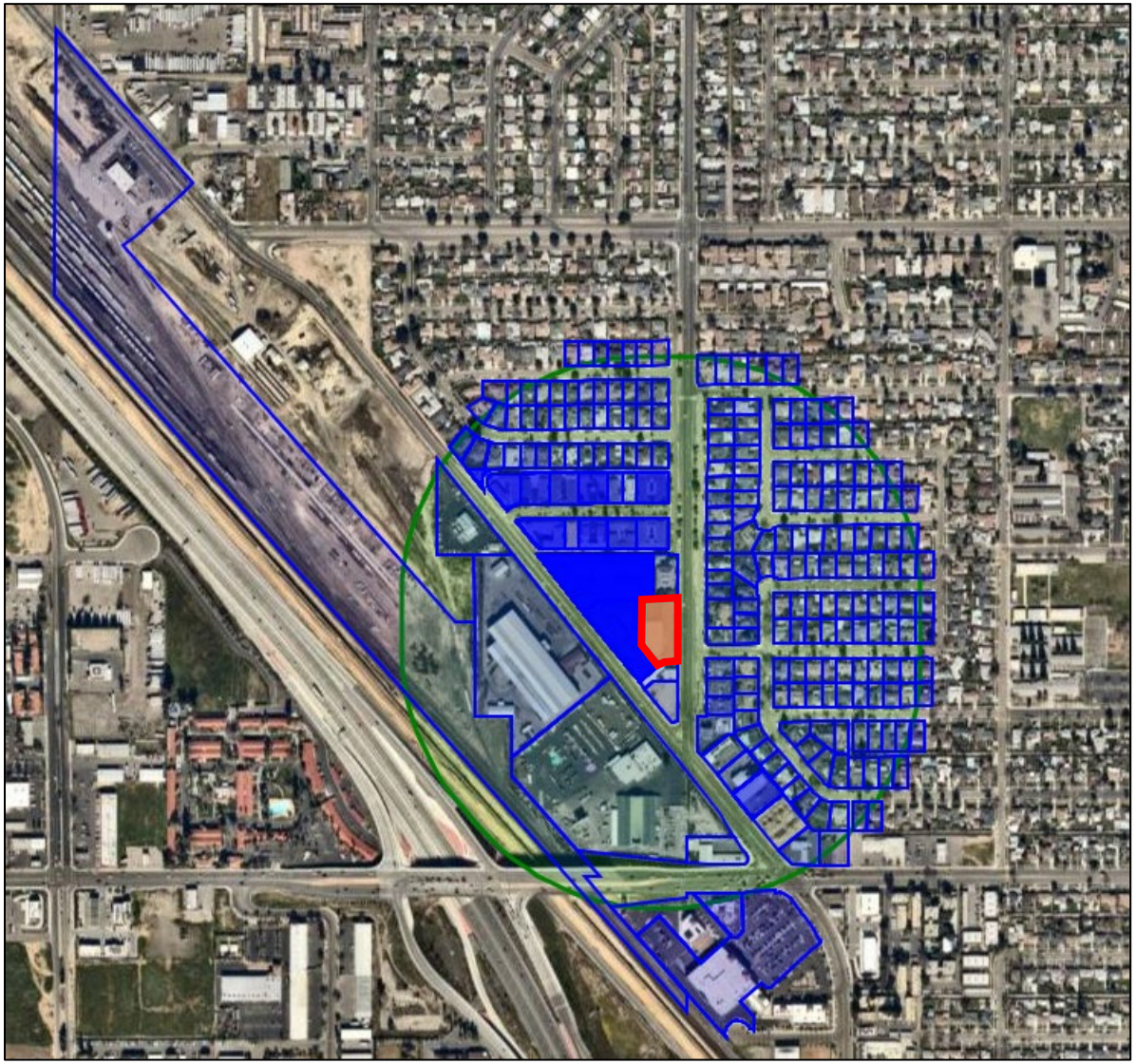
Exhibit I

Noticing Map



Legend

Subject Property

Noticing Boundary

CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT
NEIGHBORHOOD NOTIFICATION

Please Note: You are receiving this notice because you own property within 1,000 feet of a property that has requested a special permit for a use described below. For this type of permit, the Fresno Municipal Code (FMC) requires that the City give notice to surrounding property owners to provide the opportunity to express concerns or protest the special permit. Further information is provided below. If you have no concerns regarding the permit, no response is needed.

NOTICE IS HEREBY GIVEN that the Planning and Development Department Director, in accordance with Common Procedures of the FMC, Section 15-5007, will take action on the applications below:

Application Type and Number:	Conditional Use Permit Application No. P24-01344
Applicant:	Yeslam Haimed on behalf of A's Family Market
Location:	2717 North Hughes Avenue; Located on the west side of North Hughes Avenue in between North Weber and West Princeton Avenues.
Application Description:	The applicant requests authorization to establish a State of California Alcoholic Beverage Control Type 20 alcohol license (*sale of beer and wine for consumption off the premises where sold*) for an existing business (A's Family Market).
Zone District:	CC *(Commercial – Community)*
Protest Deadline:	**May 6, at 5:00 p.m.**

The purpose of this notice, at this time, is only to solicit public input and provide members of the public with opportunity to communicate comments or concerns for consideration prior to the Director making a final determination for project action. In the event you wish to provide comments for consideration, you may do so by written letter sent via post mail to the address below or via written email to PublicCommentsPlanning@fresno.gov (cc Valeria.Ramirez@fresno.gov). Comments must include your interest in, or relationship to, the subject property and specific reason(s) why you believe the project should or should not be approved.

ANY WRITTEN comments, concerns or requests for notification of final project action must be submitted to this office prior to close of business on:

May 6, 2024

If you wish to be notified of the Director's final action in order to be provided opportunity to formally appeal said action, you must specify in your written comments that you wish to be notified of final project action. If no written request for notification of final project action is included in the written comments, you will not be notified of the Director's final action and no further communication or notice will be sent. Once the Director takes final action there will be a 15-day appeal period. Unless otherwise specified in governing state or federal law, all formal appeals shall be filed with the Director in writing, within 15 days of the date of the Director's final project action, decision, CEQA determination, motion, or resolution from which the final action is taken. Failure to object to the Director's final action and/or state said reasons prior to the decision shall potentially bar any later court challenge to the project approval.

All documents related to this project are available for public review at the Planning and Development Department at the address listed below or electronic copies may be requested by contacting the Planner at the number listed below. Documents are available for viewing at City Hall during normal business hours (Monday-Friday, 8 a.m.-5 p.m.) by appointment only. **Please contact the Planner listed below via e-mail or by phone to request electronic copies or to schedule an appointment to view documents.**

For additional information, contact **Valeria Ramirez**, Planning and Development Department, by telephone at **(559) 621-8046** or via e-mail at Valeria.Ramirez@fresno.gov. ***Si necesita información en Español, comuníquese con Valeria Ramirez al teléfono (559) 621-8070 o por correo electrónico Valeria.Ramirez@fresno.gov.***

PLANNING AND DEVELOPMENT DEPARTMENT
Jennifer K. Clark, AICP, HDFP, Director
Dated: April 25, 2024

SEE MAP ON REVERSE SIDE

VALERIA RAMIREZ
PLANNING AND DEVELOPMENT DEPARTMENT
2600 FRESNO STREET, ROOM 3043
FRESNO, CA 93721
THIS IS A LEGAL NOTICE
2717 North Hughes Avenue
ABCUP P24-01344

VICINITY MAP

CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT
NOTICE OF ACTION GRANTING SPECIAL PERMIT
CONDITIONAL USE PERMIT APPLICATION NO. P24-01344

NOTICE IS HEREBY GIVEN that the Director of the Planning and Development Department, in accordance with Special Permit Procedure of the Fresno Municipal Code (FMC) Section 15-5009, has denied Conditional Use Permit Application No. P24-01344, requesting authorization to establish a State of California Alcoholic Beverage Control Type 20 alcohol license (sale of beer and wine for consumption off the premises where sold) at an existing business. The parcel is zoned CC *(Commercial – Community)*. This denial action is based upon the project's noncompliance with the requirements of Fresno Municipal Code (FMC) Section 15-2706-F (Location Restrictions).

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378, this item is not a project for the purposes of CEQA. However, in the event the item is approved (either by Planning Commission or City Council), a determination of a Categorical Exemption under Section 15301/Class 1 (Existing Facilities) of the CEQA Guidelines would be appropriate.

*This document is available for review at the Planning and Development Department, located at 2600 Fresno Street, 3rd Floor, Fresno, California 93721.

Conditional Use Permit Application No. P24-01344 was granted subject to the following findings:

Findings per FMC Section 15-5306	
A Conditional Use Permit shall only be granted if the decision-maker determines that the project as submitted or as modified conforms to all of the following criteria. If the decision-maker determines that it is not possible to make all of the required findings, the application shall be denied.	
a. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Code and all other chapters of the Municipal Code;	
Finding a:	Finding (a) cannot be made for the following reason: The proposed alcohol sales component is not a use by right and is required to obtain a Conditional Use Permit under the Responsible Neighborhood Market Act (FMC Sec. 15-2706.) The project will not comply with FMC Section 15-2706-F (Location Restrictions). The establishment is located near two other alcoholic beverage establishments, in violation of FMC Section 15-2706-F-2; specifically, it is within 1,000 feet of two existing establishments with an off-sale license, because a U Save Liquor establishment is located ±420 feet away and a USA Gas and Food is located ±866 feet away. In addition, the proposed establishment is within a high-concentration area. Per ABC, the Census Tract 37.02 is currently over-concentrated with four existing licenses allowed and seven existing. Approval of the proposed project would result in 8 existing licenses which is greater than the license amount allowed for the population in this Census Tract. Thus, the proposed location is in a high concentration area. Further, the proposed project does not meet with any of the exceptions to location restrictions found under FMC Sec. 15-2706-F. The proposed project involves transferring and re-establishing a surrendered off-sale alcohol beverage license from another area of the City. However, the transfer of this license does not meet with the exception requirements found under FMC Sec. 15-2706-F-7. The applicant had a Type 21 license at an existing establishment (Primo's Family Market) which was approved under Conditional Use Permit No. C-94-86 in 1994. However, that establishment had their alcohol license revoked on August 14, 2019. As the project does not meet all the requirements of Section 15-2706-F-7, this exemption is not applicable to the current application. Additionally, the proposed establishment does not meet with the exception to location restriction requirements found under FMC Sec. 15-2706-F-6, the Chief of Police has determined that the site is located within an area in which the proposed use (a) would be detrimental to the public health, safety, or welfare of persons located in the area; or (b) would increase the severity of existing law enforcement or public nuisance problems in the area.
b. The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted;	
Finding b:	Finding (b) can be made for the following reason: The proposed alcohol sales component of the project is consistent with the current General Plan land use designation of Commercial – Community, because a general market is permitted within the Commercial – Community land use classification, of which off-sale alcohol sales could be a component.
c. The proposed use will not be substantially adverse to the public health, safety, or general welfare of the community, nor be detrimental to surrounding properties or improvements;	

Finding c:	Finding (c) cannot be made for the following reasons: According to the Fresno Police Department the project is located in a high-crime area with multiple criminal activities around the location. In 2023, there were a total number of 306 reported crimes in the police zone the subject property is located in (2050). Pursuant to CBPC 23958.4(c)(2), "Reported crimes" means the most recent yearly compilation by the local law enforcement agency of reported offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations. In comparison, the two easterly adjoining police zones (2051 & 2151) have significantly less reported crimes in the year 2023. Police Zone 2051 has a total number of 133 reported crimes and Police Zone 2151 has a total number of 155 reported crimes. Statistically, there is a high probability that the approval of an ABC license at this location will continue to attract gang members and other criminal activity and invite more individuals to congregate and loiter. Furthermore, the Police Department determined the site is located in an area that the off-sale of alcohol would be detrimental to the public health, safety or general welfare of persons located in the area and would increase the severity of existing law enforcement or public nuisance problems in the area.
d. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity; and,	
Finding d:	Finding (d) cannot be made for the following reasons: As described in the analysis and findings above, the proposed establishment is located within an area of high crime and high concentration of off-sale licenses. Given these circumstances, the proposed operations (off-sale of alcohol) would not be compatible with the existing and future land uses in the vicinity as if would further increase the overconcentration of off-sale licenses and contribute to increase crimes in an existing high crime area.
e. The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.	
Finding e:	Finding (e) can be made for the following reason: The site is proposed for a general market use, which is suitable for establishing the alcohol beverage sales use consistent with the allowable land use and intensity requirements of the underlying zone district (Commercial – Community) with adequate access, utilities and services and emergency access.
f. The proposed use is consistent with the Fresno County Airport Land Use Compatibility Plan (as may be amended) adopted by the Fresno County Airport Land Use Commission pursuant to California Public Utilities Code Sections 21670-21679.5.	
Finding f:	Finding (f) can be made for the following reason: The site is not located within an area of influence of the Fresno County Airport Land Use Compatibility Plan. Therefore, the project is consistent with the Fresno County Airport Land Use Compatibility Plan.

The Conditional Use Permit will not become effective until 15 days from the date the permit is granted in order to allow time for any interested parties to file an appeal.

NOTE: A Notice of Intent to Take Action (Neighborhood Notification) was sent to surrounding property owners pursuant to the requirements of Section 15-5007 of the FMC on April 25, 2024.

In the event you wish to appeal the Director's decision, you may do so by filing a written appeal with the Director by email to PubliccommentsPlanning@fresno.gov. The appeal must include the appellant's interest in, or relationship to, the subject property, the decision or action appealed, specific reason(s) why the appellant believes the decision or action should not be upheld**.**

ANY WRITTEN appeal must be submitted to this office prior to close of business on **February 21, 2025**

For additional information regarding this project, contact Valeria Ramirez, Planner II, Planning and Development Department, 2600 Fresno Street, Fresno, California 93721-3604, by phone at **(559) 621-8046** or via e-mail at Valeria.Ramirez@fresno.gov. ***Si necesita información en Español, comuníquese con Valeria Ramirez al teléfono (559) 621-8046 o por correo electrónico a Valeria.Ramirez@fresno.gov.***

PLANNING AND DEVELOPMENT DEPARTMENT
Jennifer K. Clark, AICP, Director
Dated: February 6, 2025
Assessor's Parcel No. 468-273-01
SEE MAP BELOW

VICINITY MAP

Planning and Development Department
2600 Fresno Street, Room 3043 · Fresno, CA 93721 · Phone (559) 621-8277